

REMARKS

Claims 2 – 13, 15 – 37, and 39 - 53 are currently pending in the application. By this amendment claims 54 and 55 were canceled without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of the instant application in one or more divisional applications. By the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner's indication that claims 2 – 13, 15 – 37, and 39 – 53 are allowed.

35 U.S.C. § 112 Rejection

Applicants submit that the rejection of claims 54 and 55 under 35 U.S.C. § 112, second paragraph is moot.

By the present amendment, rejected claims 54 and 55 have been canceled without prejudice or disclaimer. While Applicants do not acquiesce that the applied art of record renders unpatentable the combination of features recited in claims 54 and 55, in an effort to advance prosecution, Applicants have canceled the rejected claims.

35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) Rejections

Claims 54 and 55 are rejected under 35 U.S.C. § 102(b) as being anticipated by, and under 35 U.S.C. §103(a) as unpatentable over, McCarten (U.S. Patent No. 4,944,820) ["MCCARTEN"]. The Examiner asserts that MCCARTEN anticipates and renders obvious the above-noted claims. Applicants traverse the Examiner's assertions.

Applicants submit that the cancellation of claims 54 and 55 renders moot the instant rejections over the art of record.

Accordingly, an indication of allowability is now requested in this application.

CONCLUSION

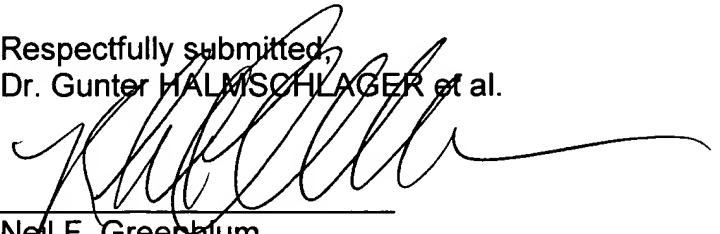
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious Applicants' invention, as recited in each of claims 2 – 13, 15 – 37, and 39 - 53. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Should the Examiner have any questions or comments, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Dr. Gunter HALMSCHLAGER et al.



Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043

June 27, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191